

Application No. 10/524,185
Amendment dated December 18, 2006
Reply to Office Action of November 29, 2006

Docket No.: 60680-2004

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REMARKS/ARGUMENTS

Applicants have carefully reviewed the Notice of Non-Compliant Amendment mailed November 29, 2006, and have amended the claims and arguments as originally submitted in the response to the Office Action mailed July 27, 2006 in accordance with the Examiner's suggestions.

Applicants thank Examiner Eshete for the detailed review of the pending claims, and for the indication of allowable subject matter. Claim 9 has been amended to incorporate the recitations of the base claim and any intervening claims and, accordingly, is now in condition for allowance. Claims 1 and 3 have been amended in response to objections by the Examiner, while each of claims 1-10 have been amended to remove reference numerals. Support for the amendment to claim 1 can be found throughout the specification and drawings as originally filed. Support for the amendment to claim 3 can be found at least in paragraphs [0009], [0012], and [0013] as originally filed. No new matter has been added by way of these amendments. Accordingly, claims 1-10 are pending in this application. At least for the reasons set forth below, Applicants respectfully traverse the foregoing rejections. Further, Applicants believe that there are reasons other than those set forth below why the pending claims are patentable, and reserve the right to set forth those reasons, and to argue for the patentability of claims not explicitly addressed herein, in future papers. Applicants respectfully request reconsideration of the present application in view of the above amendment and the following remarks.

Claim Objections

The Examiner objected to Claim 3 under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicants have amended claim 3 to recite a "housing formed of one of a plastic and a rubber material." Reconsideration and withdrawal of the objection is respectfully requested.

Rejection of Claim 1 under 35 U.S.C. §112

The Examiner rejected claim 1 under 35 U.S.C. §112, second paragraph, as being indefinite

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for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner also rejected claim 1 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. These rejections are respectfully traversed.

The Examiner states that the "claim limitation 'the electrical bridge does not extend along an exposed surface of the housing' cannot be understood in light of the drawings and the specification." *See Office Action dated 7/27/2006, page 2.* Applicants have deleted the phrase from claim 1 without prejudice or disclaimer of the subject matter contained therein, thereby rendering the Examiner's rejection moot. Accordingly, withdrawal of the present rejections are respectfully requested.

Rejection of Claims 1-3 under 35 U.S.C. §102

The Examiner rejected claims 1-3 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,416,341 ("Platz"). This rejection is respectfully traversed.

To anticipate a claim, the reference must teach every element of the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the... claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Independent claim 1 positively recites a "composite cover with an electrical bridge, comprising... at least one electrical connector integrally formed with the housing, the at least one electrical connector including one or more electrical leads integrally formed with the housing that extend through the housing..." The integrally formed housing thereby provides "an electrical bridge without... holes through the sealed cover, thereby reducing the risk of contaminants entering the sealed enclosure and increasing the reliability of the electrical device housed within the sealed enclosure." *See Specification, Paragraph [0015].* In contrast, Platz teaches an electrical conductor track (5) including electrical contact pins (3) which are pushed or "shot" through holes formed in the housing (1). *See Platz, Col. 3, lines 5-11.* Holes are formed in the housing to allow the

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electrical contact pins (3) to be inserted into the housing after the molding step. *See Platz, Col. 3, lines 18-25.* Thus, Platz does not teach every limitation of independent claim 1, as required in *Verdegaal Bros.* Accordingly, it is respectfully submitted that claim 1 is neither anticipated nor rendered obvious by Platz. Further, claims 2 and 3 depend from claim 1, and are therefore patentable over Platz at least because they depend from an allowable base claim. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Rejection of Claims 1-5, 6-8 and 10 under 35 U.S.C. §103(a)

The Examiner rejected claims 1-5 under 35 U.S.C. §103(a) as being obvious in light of U.S. Patent No. 5,035,637 ("Mathews") in view of U.S. Patent No. 5,375,569 ("Santella"). The Examiner also rejected claims 6-8 and 10 under 35 U.S.C. §103(a) as being obvious in light of U.S. Patent No. 5,035,637 ("Mathews") in view of U.S. Patent No. 5,375,569 ("Santella"), and in further view of U.S. Patent No. 6,371,073 ("Billimack"). These rejections are respectfully traversed.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). Independent claim 1 positively recites a "composite cover with an electrical bridge, comprising... at least one electrical connector integrally formed with the housing, the at least one electrical connector including one or more electrical leads integrally formed with the housing..." The Examiner states that "Mathews discloses a cover with an electrical bridge comprising... at least one electrical connector integrally formed with the housing..." *See Office Action dated 7/27/2006, page 4.* The Examiner appears to rely upon FIG. 1 of Mathews, which Mathews describes as a prior art electrical bridge. However, the housing shown in FIG. 1 of Mathews has a hole into which the electrical leads must be inserted after the housing is formed. *See Mathews, Col. 1, lines 22-29.* Accordingly, Mathews fails to teach or suggest an electrical connector or lead "integrally formed with the housing."

Furthermore, the Mathews reference as a whole actively teaches away from providing an electrical bridge in a cover *entirely*. Mathews notes that the electrical leads of the prior art device must be sealed to prevent intrusion of oil, resulting in a costly, time-consuming assembly process.

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See Mathews, Col. 1, lines 35-38. The entire disclosure of Mathews is directed to solving leakage problems in electrical bridges provided in the cover. The invention of Mathews solves this problem by providing an electrical bridge in a gasket body (12) disposed between a cover (27) and a base element (28). In each embodiment of the cover disclosed by Mathews, the electrical bridge (19) is provided in the gasket body (12), and not the cover (27). *See Mathews, at least at FIGS. 2, 4, 7, 8, and 11.* Accordingly, the various embodiments of the invention of Mathews not only fail to disclose or suggest "at least one electrical connector integrally formed with the housing, [and] one or more electrical leads integrally formed with the housing," but also teach away from such an arrangement.

It is therefore respectfully submitted that the prior art of record fails to teach or suggest every element of claim 1, as required by *In re Royka*. Independent claim 1 is therefore in condition for allowance. Further, dependent claims 2-10 each depend from claim 1, and are therefore also patentable at least for the same reasons as claim 1. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

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CONCLUSION

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All rejections have been addressed. In view of the above, the presently pending claims are believed to be in condition for allowance. Accordingly, reconsideration and allowance are respectfully requested and the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 60680-2004 from which the undersigned is authorized to draw. To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136(a) is hereby made, the fee for which should be charged against the aforementioned account.

Dated: December 18, 2006

Respectfully submitted,

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